

DATE: June 19, 2008  
 LOCATION: Tyler  
 JUDGE: Leonard Davis  
 DEP. CLERK: Rosa L. Ferguson  
 RPTR/ECRO: Shea Sloan  
 USPO: Jason Barr  
 INTERPRETER:

**USA VS. JUSTIN JAKE NEWMAN**

Richard Moore - Assigned  
 Richard Moore - Appeared

Kelly Pace  
 Attorney for Defendant

BEGIN: 10:10 AM

ADJOURN: 10:20 am

## SENTENCING

- ☒ Sentencing called      ☒ Sentencing held  
☒ Court adopts PSR in its entirety

CT.	CUSTODY	Consec/ Concurr	W/ CT	FINE	REST	SUP / REL	Consec/ Concurr	W/ CT	SP/ASS	INELIG FED BEN.
1 (Inf)	24 Mos			Waived		3 Years			\$100	5 Years

### BOP RECOMMENDATIONS:

- |                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Dft be <b>designated to FCI: Texarkana</b><br><input type="checkbox"/> Dft participate in the <b>Inmate Financial Responsibility Program</b> .<br><input type="checkbox"/> Dft participate in <b>Intensive Confinement Center</b> | <input checked="" type="checkbox"/> Dft participate in <b>Drug Treatment Program</b> .<br><input type="checkbox"/> Dft participate in the <b>500-Hr Drug Treatment Program</b> .<br><input type="checkbox"/> Dft participate in <b>Sexual Offender Program</b> . |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### SPECIAL CONDITIONS of RELEASE

X	Dft shall <b>report</b> in person to the probation office in the district to which the dft is released within <b>72 hours</b> of release from BOP.			
X	Dft shall not commit another Federal, State or Local crime, shall comply with the <b>standard conditions</b> adopted by this Court and with the following additional conditions:			
X	Dft shall not possess a <b>firearm</b> or other destructive device.		Dft shall be <b>surrendered to INS official</b> for deportation proceeding.	
	Dft shall pay any <b>financial penalty</b> that is imposed by this judgment and that remains unpaid at the commencement of SUP/REL.			
X	Dft shall provide the probation officer with access to any requested <b>financial information</b> .			
	Dft shall <b>not incur new credit charges</b> or open additional lines of credit without the approval of Probation Officer.			
X	Court orders <b>mandatory drug test</b>		Court finds drug test w/in 15 days of release unnecessary.	
X	Dft shall participate in a Program of testing and treatment for <input checked="" type="checkbox"/> <b>Drug Abuse</b>			
	Dft shall perform _____ hours of <b>community service</b> as directed by probation officer.		Dft to <b>pay delinquent Child Support</b> .	
	Dft shall be placed on <b>home detention</b> for a period of _____ months, to commence (immediately/immediately following release from imprisonment/on _____). Dft to follow conditions of Home Detention.			
X	Dft shall cooperate in the collection of <b>DNA</b> as directed by the Probation Officer.			
	Dft shall not participate in any form of GAMBLING.			
X	Dft <b>REMANDED</b> to the USM.			
			USM	
			X Designated FCI	
	Dft's <b>bond</b> <input type="checkbox"/> set <input type="checkbox"/> reduced to \$ _____ <input type="checkbox"/> cash <input type="checkbox"/> surety <input type="checkbox"/> 10% <input type="checkbox"/> PR <input type="checkbox"/> unsecured			
	<b>Bond continued</b>		in this case	other case # _____
	Dft failed to appear		Ord/Arrest Warrant	BND forfeited.
X	<b>REMAINING</b> Counts <b>dismissed</b> on Govt's Motion			
X	Dft advised of <b>right to appeal</b> & court appointed counsel			
X	<b>Presentence Report</b> Sealed.			
X	<b>Minutes</b> filed	<b>FILED: 6.19.2008</b> U.S. DISTRICT COURT EASTERN DISTRICT OF TEXAS DAVID J. MALAND, CLERK		
	<b>Exhibit</b> list filed			
	<b>Witness</b> list filed.			
	See reverse/attached for additional proceedings			

10:10 am	<b>CASE CALLED.</b> Mr. Moore announced ready for the Government. Mr. Pace announced ready for the Defendant.
<b>PRESENTENCE REPORT:</b> Court inquired if Mr. Pace and dft received a copy of PSR, have reviewed it, and have any objections. Mr. Pace does not have objections.  Court inquired if the Govt has any objections. The Gvt does not.  Court Adopts PSR in its entirety other as indicated above. Court finally accepts plea agreement in this case.	
<b>CRIME VICTIM ALLOCUTION:</b> Court inquired if there were any victims present in the courtroom. None present.	
<b>ALLOCUTION BY DEFENDANT:</b> Dft <b>DID</b> allocute to Court. Mr. Pace addressed the Court on the Defendant's behalf and asked Court to follow the recommended sentence. Mr. Moore addressed the Court and has nothing further.	
<b>IMPOSITION OF SENTENCE:</b> Court imposed sentence and made recommendations to BOP.	
<b>APPEAL:</b> Deft advised of right to appeal & court appointed counsel. <b>REMAINING COUNTS:</b> Mr. Moore moved to dismiss remaining counts. Motion granted. <b>PLACE OF CONFINEMENT:</b> Mr. Pace requested FCI Texarkana, or as near to East. Tx as possible. <b>FORFEITURE:</b> Mr. Moore moved for Final Order of Forfeiture be granted and that be made part of the judgment. Motion granted.	
<b>CUSTODY:</b> Dft REMANDED to USM.	
10: 20 am	There being nothing further in this case, Court adjourned.